



SUPERIOR COURT OF THE STATE OF  
WASHINGTON  
FOR CLARK COUNTY

GENERAL ORDER 21-04

**CLARK COUNTY SUPERIOR COURT  
REVISED EMERGENCY ORDER**

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Adopted: July 6, 2021

Updated: July 19, 2021

Effective Monday, July 19, 2021 General Order 20-06 Clark County Superior Court Revised Emergency Order is rescinded and the actions set forth herein will take effect and will remain in effect until further order of the Court, unless otherwise stated herein. If a date is stated herein, the stated date may be modified by further Court Order.

Given, the Centers for Disease Control, Washington State Department of Health, and Washington Department of Labor & Industries have issued updated guidance regarding COVID-19 and public safety guidelines, it is hereby ORDERED,

Pursuant to the authority of the Washington State Supreme Court Order No. 25700-B-626 and the authority as Presiding Judge of the Clark County Superior Court, that the following shall be in effect as of July 19, 2021:

- A. Persons exhibiting symptoms of COVID-19, including fever, persistent cough, or shortness of breath SHALL NOT enter the Clark County Courthouse, Juvenile Courthouse, or the Family Law Annex. Any such person who does appear shall be refused entry by Courthouse Security staff.

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- B. Persons who cannot enter the Courthouse or those at high risk for serious illness who wish to avail themselves of this order SHALL contact the appropriate judicial department to request other arrangements be made related to their court business.
- C. The judicial officer presiding over the courtroom shall retain the authority to exclude any person from a courtroom as may be necessary to comply with this order.
- D. All Criminal and Civil Trials shall proceed in compliance with existing state and local rules.
- E. All adult and juvenile **IN CUSTODY** criminal hearings will proceed as scheduled via video conference, telephone, or in person in compliance with General Order 21-03 and other public health measures at the direction of the judicial officer assigned to the hearing.
- F. All adult and juvenile **OUT OF CUSTODY** criminal hearings will proceed as scheduled via video conference, telephone, or in person in compliance with General Order 21-03 and other public health measures at the direction of the judicial officer assigned to the hearing.
- G. All Family Law dockets shall proceed in compliance with existing state and local rules.

Until further notice all hearings shall be conducted via video conference, telephone, or in person in compliance with General Order 21-03 and other public health measures.

Family law trials shall proceed in compliance with existing state and local rules. Participants must obtain advanced approval from the assigned department to proceed with any portion of the trial via video conference or telephone. Individuals attending trial in person must comply with General Order 21-03.

Until further notice all Commissioner Family Law motion dockets, **except for Self-Represented Finalizations**, SHALL proceed as follows:

1. Information for remote appearance, by phone or computer, will be available online at <https://www.clark.wa.gov/superior-court/zoom-information>
2. Effective immediately, courtesy copies shall be required for all Commissioner dockets as set forth in LR 6(d) and (e).

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3. Participants who may have multiple matters scheduled for the same time with different Commissioners are encouraged to coordinate with their opposing counsels/parties to be available as needed for each hearing. Matters not ready to proceed when called will be recalled at the end of the docket but may be stricken if participants are still unavailable at the conclusion of the docket.
4. Participants in a hearing should not begin speaking unless and until requested to do so by the Commissioner. Participants should not interrupt each other during the hearing.
5. Subsequent to the Commissioner's oral ruling:
  - a) Agreed orders that have not been cited in for entry may be submitted to the Commissioner's Judicial Assistant via email or to ex parte per GO 20-11 Emergency Ex Parte Rule. If submitted via email, parties shall include the case number, Commissioner name, and date of hearing in the subject line.
  - b) If orders are not agreed, each Commissioner has the discretion to cite the matter on for Entry of Orders. Matters cited on by the Commissioner may not be stricken or set over unless permission is obtained by the JA in advance of the hearing. Parties who have agreed orders prior to the Entry hearing may have their matter stricken by the Commissioner **ONLY IF** the agreed orders are submitted to the Commissioner's JA by 11:00 a.m. the day prior to the scheduled hearing. If submitted via email, parties shall include the case number, Commissioner name, and date of hearing in the subject line. For any contested matters, the drafting party shall submit a hard copy of the proposed order to the Commissioner's JA no later than 11:00 a.m. the day prior to the scheduled hearing.
  - c) In the event the Commissioner elects not to set the matter on for an Entry of Orders hearing, the following process should be used for contested matters:
  - d) The drafting attorney/litigant submitting her/his proposed orders to the other side.
    - i. The other attorney/litigant shall use the proposed orders and submit a redline copy or a brief statement of the disputed provisions back to the originating party.

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- ii. The drafting attorney/litigant shall then forward the redlined Microsoft Word documents and any rebuttal to the assigned judicial assistant for review and entry.

Commissioner Judicial Assistant contact information:

Commissioner Ellis email Rebecca Wittenborn [rebecca.wittenborn@clark.wa.gov](mailto:rebecca.wittenborn@clark.wa.gov)

Commissioner Sasser email Rebecca Wittenborn [rebecca.wittenborn@clark.wa.gov](mailto:rebecca.wittenborn@clark.wa.gov)

Commissioner Schienberg email Rebecca Wittenborn  
[rebecca.wittenborn@clark.wa.gov](mailto:rebecca.wittenborn@clark.wa.gov)

Commissioner Swingen email Whitney Freese [whitney.freese@clark.wa.gov](mailto:whitney.freese@clark.wa.gov)

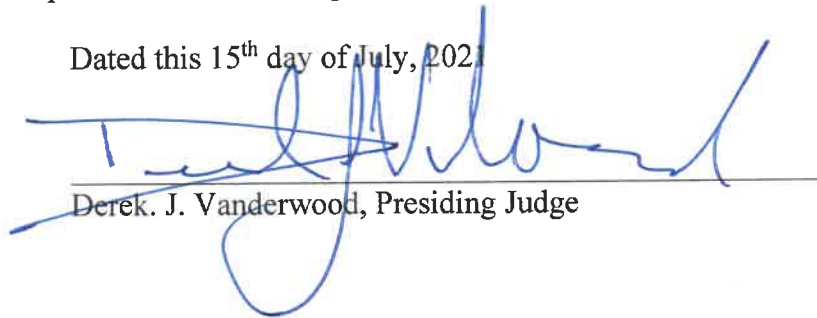
All **Self-Represented Finalizations** will be in person in compliance with General Order 21-03. Parties shall appear with their final orders completely filled out and signed.

- H. All Guardianship/Probate dockets will proceed as scheduled for initial appearances on guardianship petitions and contested matters on approved guardianships. Until further notice all hearings shall be conducted via video conference, telephone, or in person in compliance with General Order 21-03 and other public health measures. Uncontested matters, for which the appropriate notice has been given to the parties, SHALL be submitted ex parte to the Probate/Guardianship Judge.
- I. All Friday morning Civil Motion dockets will be held via video conference, telephone, or in person in compliance with General Order 21-03. Agreed orders SHALL be submitted ex parte.
- J. All Dependency and Termination matters are governed by rules and procedures outlined in separate General Order 20-12 Emergency Dependency Docket Rule.
- K. All Unlawful Detainer dockets are CANCELLED through July 31, 2021. All unlawful detainer matters are governed by rules and procedures outlined in separate General Order 20-18 Unlawful Detainers – Eviction Resolution Program. Orders to Show Cause per Governor’s Proclamation 20-19.6 Evictions and Related Housing Practices SHALL be heard by the assigned judicial department. Scheduling of hearing SHALL be done in consultation with the department’s Judicial Assistant.

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- L. Ex Parte will remain open for agreed and emergency orders. The Ex Parte process is governed by rules and procedures outlined in General Order 20-11 Emergency Ex Parte Rule.
- M. All Settlement Conferences will proceed as scheduled via video conference, telephone, or in person in compliance with General Order 21-03 at the direction of the assigned judicial officer.
- O. All Civil Protection matters are governed by rules and procedures outlined in separate General Order 20-10 Emergency Civil Protection Order Rule.
- P. Therapeutic specialty courts (Adult Drug Court, Family Treatment Court, Juvenile Recovery Court, and Mental Health Court) will continue based on procedures adopted by each specialty court team.
- Q. Any matters not addressed in this emergency order shall proceed in the manner consistent with all State Court Rules, Local Court Rules and Emergency General Orders.
- R. The Clark County Superior Court remains open.

Dated this 15<sup>th</sup> day of July, 2021



Derek J. Vanderwood, Presiding Judge